

1 BARRY J. PORTMAN
Federal Public Defender
2 JOHN PAUL REICHMUTH
Assistant Federal Public Defender
3 555 - 12th Street
Suite 650
4 Oakland, CA 94607-3627
Telephone: (510) 637-3500
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Counsel for Defendant CULLUM
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR 02-40190-CW
)	CR 04-40176-CW
12 Plaintiff,)	CR 09-0835-CW
)	
13 vs.)	STIPULATION TO CONTINUE;
)	PROPOSED ORDERING CONTINUING
14 JOHN BENNETT CULLUM,)	CASE AND EXCLUDING TIME UNDER
)	THE SPEEDY TRIAL ACT
15 Defendant.)	
)	

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17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the
18 STATUS HEARING date of February 22, 2010 presently scheduled at 10:00 a.m., before the
19 Honorable Laurel Beeler, be vacated and re-set for April 5, 2010 at 10:00 a.m. for
20 TRIAL/MOTIONS SETTING OR CHANGE OF PLEA.

21 The reason for this request is that defense counsel needs additional time to review
22 discovery, investigate, and discuss this case with Mr. Cullum. Further, counsel for the defendant
23 will be in trial in another case for two to three weeks beginning on March 8, 2010. The
24 Probation Office has been contacted and does not object to a continuance.

25 The parties agree and stipulate that the time until April 5, 2010 should be excluded, under
26 18 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the continuance

1 outweigh the best interests of the public and the defendant in a speedy and public trial. The
2 continuance is necessary to accommodate counsel's preparation efforts and ensure continuity of
3 counsel.

4 Date 2/19/10 /s/
5 John Paul Reichmuth
6 Assistant Federal Public Defender
7 Counsel for defendant CULLUM

8 Date 2/19/10 /s/
9 Brian C. Lewis
10 Assistant United States Attorney

11 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
12 within this efiled document.

/S/ John Paul Reichmuth
Counsel for Defendant Cullum

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and ensure continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matters are continued to April 5, 2010 at 10:00 a.m. before Hon. Laurel Beeler, United States Magistrate Judge, and that time is excluded from February 22, 2010 to April 5, 2010 pursuant to 18 U.S.C. §§3161(h)(7)(A).

IT IS SO ORDERED.

February 23, 2010
Date



LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE